MT LEGISLATIVE HISTORY

Chapter 172 19 73

Bill H 435 S _____ Original bill & hist. ___C

H. Committee on Hwys & Transp.

Hearing Date(s) 2-8 ___C

_____ ___C

_____ ___C

_____ ___C

Date Out _____ ___C

S. Committee on Hwys & Transp.

Hearing Date(s) 2-22 ___C

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_____ ___C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

CHAPTER No. 172.

HOUSE BILL NO. 435

INTRODUCED BY GLENNEN, HOLTZ

IN THE HOUSE

January 25, 1973	Read first time and referred to Committee on Highways and Transportation.
February 9, 1973	Committee recommends bill do pass. Report adopted and referred to Bills Committee for printing.
February 10, 1973	Reported correctly printed. Report adopted. Referred to second reading.
February 12, 1973	Recommended favorably by Committee of the Whole. Report adopted and referred to Bills Committee for engrossing.
February 14, 1973	Committee recommends bill be considered correctly engrossed. Report adopted. Referred to calendar for third reading.
February 15, 1973	Read three several times and passed. Title and history agreed to. Transmitted to the Senate for its concurrence.

IN THE SENATE

February 16, 1973	Considered read and referred to Committee on Highways and Transportation.
February 22, 1973	Committee recommend that bill be concurred in. Report adopted. Bill referred to second reading.
February 23, 1973	Committee of the Whole recommend that bill be concurred in. Report adopted. Bill referred to calendar for third reading.

February 24, 1973	Read third time and concurred in. Title and history agreed to. Returned to House.

IN THE HOUSE

February 26, 1973	Referred to Bills Committee for enrolling.
	Reported correctly enrolled.

ORIGINAL

HOUSE BILL NO. 435

INTRODUCED BY Glennes Holtz

8-102

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 8-102, R.C.M. 1947, PROVIDING THAT CLASS C CARRIERS DISTRIBUTING, DELIVERING OR COLLECTING WARES, MERCHANDISE OR COMMODITES, OR TRANSPORTING PERSONS, SHALL DO SO UNDER SIX (6) CONTRACTS, CHARTERS, AGREEMENTS OR UNDERTAKINGS OR LESS ANNUALLY; THAT EVERY CLASS C MOTOR CARRIER PROVIDING SUCH TRANSPORTATION SERVICE BY MEANS OF MORE THAN SIX (6) CONTRACTS, CHARTERS, AGREEMENTS OR UNDERTAKINGS SHALL BE DEEMED PROVIDING COMMON CARRIAGE AND SHALL OPERATE UNDER A CLASS B MOTOR CARRIER CERTIFICATE IN LIEU OF SUCH CLASS C CERTFICATE; THAT ALL CLASS C MOTOR CARRIERS MUST SUBMIT TO THIS COMMISSION THE NAMES AND ADDRESSES OF ALL PERSONS, FIRMS, CORPORATIONS OR OTHER LEGAL ENTITY WITH WHOM THE SAID CLASS C CARRIER HAS EXECUTED A CONTRACT, AGREEMENT, OR UNDERTAKING FOR THE DISTRIBUTION, DELIVERY OR COLLECTION OF WARES MERCHANDISE OR COMMODITIES, OR TRANSPORTING PERSONS; AND PROVIDING FOR AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. Section 8-102, R.C.M. 1947, is amended to read as follows:

"8-102. Classification of motor carriers-operation according to provisions of act required. (a) Motor carriers are hereby divided into three (3) classes for the purposes of this act, to be known as:

Class A motor carriers,

Class B motor carriers,

Class C motor carriers.

Class A motor carriers shall embrace all motor carriers operating between fixed termini or over a regular route, under regular rates or charges, based upon either station-to-station rates or upon a mileage rate or scale.

Class B motor carriers shall embrace all motor carriers operating under regular rates or charges based upon either station-to-station rates or upon a mileage rate or scale, and not between fixed termini or over a regular route.

Class C motor carriers shall embrace all motor carriers operating motor vehicles for distributing, delivering or collecting wares, merchandise, or commodities, or transporting persons, where the remuneration is fixed in and the transportation service furnished under a contract, charter, agreement or undertaking. Such class C motor carriers distributing, delivering or collecting wares, merchandise or commodities, or transporting persons shall do

so under six (6) contracts, charters, agreements or undertakings or less annually. Every class C motor carrier providing such transportation services by means of more than six (6) contracts, charters, agreements or undertakings shall be deemed to be providing common carriage and shall operate under a class B motor carrier certificate in lieu of such class C motor carrier certficate. All class C motor carriers must annually submit to this commission the names and addresses of all persons, firms, corporations or other legal entity with whom the said class C carrier has executed a contract, charter, agreement or undertaking for the distribution, delivery or collection of wares, merchandise or commodities, or transporting persons.

(b) It shall be unlawful for any corporation or person, its or their officers, agents, employees, or servants, to operate any motor vehicle for the transportation of persons and/or property for hire on any public highway in this state except in accordance with the provisions of this act."

Section 2. This act is effective on its passage and approval.

-End-

HIGHWAYS AND TRANSPORTATION COMMITTEE

43rd Legislative Assembly

Bill No.	Subject Matter	Date In	Hearing Date	Comments	Date Out	Committee Action	Final Action
H.B. 229 Cotton Lynch	Allowing school buses to use studded tires for the entire length of the school year	1-18-73	1-27-73		1-27-73	Do Pass	Signed by Governor
H.B. 434 Glennen	providing that upon filing of a change by means of filing tariff sheets, every motor carrier must submit testimony	1-25-73	2-10-73		2-10-73	As amended Do Pass	Signed by Governor
H.B. 435 Glennen	providing that class C carriers distributing wares, etc, shall do so under 6 contrats etc		2-8-73		2-9-73	Do Pass	Signed by Governor
H.B. 436 Glennen	providing that every motor carrier may petition the commission to suspend its intrastate operating authority for 6 mos		2-10-73		2-12-73	Do Pass	Signed by Governor
H.R. 14 Hager	post dangerous curves on county roads of the state	2-9-73	2-24-73		2-26-73	Be Concurred In	Be Adopted
S.B. 107 Graham	vehicles having a gross laden weight of less than 24,000 pounds, exempt of additional fees--dealer business.		1-30-73		1-30-73	Be Concurred In	Signed by Governor

February 8, 1973

The Highways and Transportation Committee convened at 8:25 P.M. There were ten members present with 5 absent.

Chairman Laas called the meeting to order to consider H.B. 400.

Rep. Mercer, the chief sponsor of the bill explained it. Mr. O'Leary testified in favor of the bill and said it would just change from fiscal year to calendar year. There were no opponents.

Rep. Bardanouve then explained H.B. 351 as he was the chief sponsor. Mr. Strope testified against the bill. He stated that there were already codes about the heights of advertising signs. Rep. Bardanouve stated that the 1967 law was a farce. He suggested that if the committee wanted they could hold the bill until the 1974 session. Rep. Bardanouve then explained H.B. 364. Mr. Bob Wilson, administrator of the Motor Fuel Tax Division of the Dept. of Revenue testified in favor of the bill. Rep. Edland also gave testimony in favor of the bill.

Rep. Bell, chief sponsor of H.B. 430 then explained it. There were no opponents. Rep. Edland then explained H.B. 406. He stated that the pioneer plates would be operated only on collector's cars. There were not any opponents.

As Rep. Glennen the chief sponsor for H.B. 435 was absent, Mr. O'Leary explained the bill. Rep. Lien explained H.B. 486. There were no opponents. Rep. Rofle stated that Rep. Fagg could not be here to explain H.B. 494 so he wanted it put on a sub-committee. Representatives Cotton, Harper and Rolfe were put on the sub-committee. The witnesses then left and the committee went into executive session.

It was moved that H.B. 400 do pass. The vote was unanimous. The committee then considered H.B. 351. The motion was made and passed as unanimous that it be held until the next session in 1974.

They then considerd H.B. 364. It was moved that the amendments be accepted and the vote was unanimous. It was then moved that the bill do pass as amended, the vote was unanimous. H.B. 430 was then considered. Rep. Lien moved that it do not pass. Rep. Selstad voted no, and Rep. Rolfe abstained. The rest of the committee voted in favor of not passing the bill.

H.B. 406 was considered and Rep. Healy made the motion that it do pass. The vote was unanimous. Rep. Harper moved that H.B. 435 do pass and the vote was unanimous. Rep. Healy also made the motion that H.B. 486 do pass and the vote was unanimous.

The committee than considered H.B. 146. Lien moved to accept the amendment and the vote was unanimous. Harper moved that the bill as amended do pass. The vote was again unanimous. Rep. Cotton moved that H.B.'s 232 and 233 be put in sub-committee, and the vote was unanimous. Representatives Lien, Selstad and Baeth were put on the sub-committee.

There being no further business the meeting was adjourned.

Walter Laas Chairman

COMMITTEE OF HIGHWAYS AND TRANSPORTATION

BILL NO.	ENTERED COMM.	OUT OF COMM.	DO PASS	DO NOT PASS	DO PASS AS AMENDED	BE CONCURRED IN	BE CONCURRED IN AS AMENDED	BE NOT CONCURRED IN	BE ADOPTED
HB 435	Feb. 16	Feb. 22				X			
HB 436	Feb. 16	Feb. 22				X			
HB 486	Feb. 16	Feb. 22				X			
HB 472	Feb. 19	Feb. 24				X			
HB 177	Feb. 20	Mar. 1	DEFER UNTIL SECOND HALF OF 43RD LEGISLATIVE SESSION						
HB 364	Feb. 20	Feb. 24				X			
HB 374	Feb. 20	Feb. 22				X			
HB 425	Feb. 20	Mar. 6 Feb. 24						X-as amended X	
HB 265	Feb. 21	Mar. 6 Feb. 27					X	X	
HB 434	Feb. 21	Feb. 24				X			
HB 146	Feb. 23	Feb. 27					X		
HB 469	Feb. 23	Feb. 27				X			
				SPECIAL SESSION					
SR 36	Mar. 10	Mar. 14							X

Senator Northey moved that H.B. 400 AS AMENDED BE CONCURRED IN. Senator Broeder seconded the motion. Motion carried.

CONSIDERATION OF H.B. 435:

Representative Glennen, author, was present to explain the bill.

Mr. O'Leary said this bill would not deprive the Class C carriers of anything, and there would be a public hearing before their classification was changed.

After further discussion, Senator Broeder moved that H.B.435 BE CONCURRED IN. Senator Graham seconded the motion. Motion carried.

CONSIDERATION OF H.B. 436:

Representative Glennen, author, explained the bill, and Mr. O'Leary elaborated upon its intent.

After further discussion, Senator Zody moved that H.B. 436 BE CONCURRED IN. Senator Graham seconded the motion. Motion carried.

CONSIDERATION OF H.B. 472:

Representative Barrett, author, said it was the intent of this bill to clear up dormant licenses existing in the files.

Mr. O'Leary said it was possible under the present system for a carrier to let his license lie dormant and operate in an area only when there is business, thus he could buy up licenses and keep other carriers out. At present there is no way they can cancel their license; it can be held dormant indefinitely.

Senator Sorenson suggested this bill be deferred until the next meeting so that more information could be obtained.

Senator Broeder moved that H.B. 472 be deferred until the next meeting. Senator Zody seconded the motion. Motion carried.

CONSIDERATION OF H.B. 374:

Representative Schye, author, was unable to attend today's meeting.

Mr. O'Leary explained the intent of the bill.

After further discussion, Senator Northey moved that H.B. 374 BE CONCURRED IN. Senator Sorenson seconded the motion. Motion carried.

With no further business, the meeting was adjourned.

Dave Manning

DAVE MANNING, CHAIRMAN

AN ACT AMENDING SECTION 8-102, R.C.M. 1947, PROVIDING THAT CLASS C CARRIERS DISTRIBUTING, DELIVERING OR COLLECTING WARES, MERCHANDISE OR COMMODITIES, OR TRANSPORTING PERSONS, SHALL DO SO UNDER SIX (6) CONTRACTS, CHARTERS, AGREEMENTS OR UNDERTAKINGS OR LESS ANNUALLY; THAT EVERY CLASS C MOTOR CARRIER PROVIDING SUCH TRANSPORTATION SERVICE BY MEANS OF MORE THAN SIX (6) CONTRACTS, CHARTERS, AGREEMENTS OR UNDERTAKINGS SHALL BE DEEMED PROVIDING COMMON CARRIAGE AND SHALL OPERATE UNDER A CLASS B MOTOR CARRIER CERTIFICATE IN LIEU OF SUCH CLASS C CERTFICATE; THAT ALL CLASS C MOTOR CARRIERS MUST SUBMIT TO THIS COMMISSION THE NAMES AND ADDRESSES OF ALL PERSONS, FIRMS, CORPORATIONS OR OTHER LEGAL ENTITY WITH WHOM THE SAID CLASS C CARRIER HAS EXECUTED A CONTRACT, AGREEMENT, OR UNDERTAKING FOR THE DISTRIBUTION, DELIVERY OR COLLECTION OF WARES, MERCHANDISE OR COMMODITIES, OR TRANSPORTING PERSONS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. Section 8-102, R.C.M. 1947, is amended to read as follows:

"8-102. Classification of motor carriers--operation according to provisions of act required. (a) Motor carriers are hereby divided into three (3) classes for the purposes of this act, to be known as:

Class A motor carriers,

Class B motor carriers,

Class C motor carriers.

Class A motor carriers shall embrace all motor carriers operating between fixed termini or over a regular route, under regular rates or charges, based upon either station-to-station rates or upon a mileage rate or scale.

Class B motor carriers shall embrace all motor carriers operating under regular rates or charges based upon either station-to-station rates or upon a mileage rate or scale, and not between fixed termini or over a regular route.

Class C motor carriers shall embrace all motor carriers operating motor vehicles for distributing, delivering or collecting wares, merchandise, or commodities, or transporting persons, where the remuneration is fixed in and the transportation service furnished under a contract, charter, agreement or undertaking. Such class C motor carriers distributing, delivering or collecting wares, merchandise or commodities, or transporting persons shall do so under six (6) contracts, charters, agreements or undertakings or less annually. Every class C motor carrier providing such transportation services by means of more than six (6) contracts, charters, agreements or undertakings shall be deemed to be providing common carriage and shall operate under a class B motor carrier certificate in lieu of such class C motor carrier certficate. All class C motor carriers must annually submit to this commission the names and addresses of all persons, firms, corporations or other legal entity with whom the said class

C carrier has executed a contract, charter, agreement or undertaking for the distribution, delivery or collection of wares, merchandise or commodities, or transporting persons.

(b) It shall be unlawful for any corporation or person, its or their officers, agents, employees, or servants, to operate any motor vehicle for the transportation of persons and/or property for hire on any public highway in this state except in accordance with the provisions of this act."

Section 2. This act is effective on its passage and approval.

I hereby certify that the within bill originated in the House.

Chief Clerk

Speaker of the HOUSE

President of the Senate
Pro Tem

ORIGINAL

House Bill No. 435

9:15 AM 1/25

LEGISLATIVE SERVICES DIVISION

1204 Has Been Checked for proper format

Rene Weber

DIRECTOR

APPROVED FOR
18th DAY INTRODUCTION

JAN 25 1973

Read first time and referred to Committee on Highways

FEB 9 1973

Committee recommends bill do pass. Report adopted and referred to bills committee for printing.

FEB 10 1973

Reported correctly printed Report adopted. Referred to Second Reading.

FEB 12 1973

Recommended favorably by Committee of the Whole. Report adopted and referred to Bills Committee for Engrossing.

FEB 14 1973

Committee recommends bill be considered correctly engrossed. Report adopted Referred to Calendar for Third Reading

FEB 15 1973

Read three several times and passed. Title and history agreed to. Transmitted to the Senate for its concurrence.

In the Senate

FEB 16 1973

Considered Read & Referred to Committee on Highways & Transportation

FEB 22 1973

Committee recommend that bill be concurred in. Report adopted. Bill referred to Second Reading.

FEB 23 1973

COMMITTEE OF THE WHOLE RECOMMEND THAT BILL BE CONCURRED IN. REPORT ADOPTED. BILL REFERRED TO CALENDAR FOR THIRD READING.

FEB 24 1973

Read third time and concurred in. Title and history agreed to. Returned to House.

IN THE HOUSE

FEB 26 1973

Referred to Bills Committee for Enrolling.

FEB 28 1973

REPORTED CORRECTLY ENROLLED

Signed by Speaker in Open Session

MAR 1 1973

SIGNED BY THE GOVERNOR.

CHAPTER No. 172

HOUSE BILL NO. 435

INTRODUCED BY GLENNEN, HOLTZ

AN ACT AMENDING SECTION 8-102, R.C.M. 1947, PROVIDING THAT CLASS C CARRIERS DISTRIBUTING, DELIVERING OR COLLECTING WARES, MERCHANDISE OR COMMODITIES, OR TRANSPORTING PERSONS, SHALL DO SO UNDER SIX (6) CONTRACTS, CHARTERS, AGREEMENTS OR UNDERTAKINGS OR LESS ANNUALLY; THAT EVERY CLASS C MOTOR CARRIER PROVIDING SUCH TRANSPORTATION SERVICE BY MEANS OF MORE THAN SIX (6) CONTRACTS, CHARTERS, AGREEMENTS OR UNDERTAKINGS SHALL BE DEEMED PROVIDING COMMON CARRIAGE AND SHALL OPERATE UNDER A CLASS B MOTOR CARRIER CERTIFICATE IN LIEU OF SUCH CLASS C CERTIFICATE; THAT ALL CLASS C MOTOR CARRIERS MUST SUBMIT TO THIS COMMISSION THE NAMES AND ADDRESSES OF ALL PERSONS, FIRMS, CORPORATIONS OR OTHER LEGAL ENTITY WITH WHOM THE SAID CLASS C CARRIER HAS EXECUTED A CONTRACT, AGREEMENT, OR UNDERTAKING FOR THE DISTRIBUTION, DELIVERY OR COLLECTION OF WARES, MERCHANDISE OR COMMODITIES, OR TRANSPORTING PERSONS; AND PROVIDING FOR AN EFFECTIVE DATE.

This bill was received by the Governor this 1 day of Mar 1973

Governor

Approved 3-6-73

Governor

STATE OF MONTANA
DEPARTMENT OF SECRETARY OF STATE
FILED
March 7 1973
AT 9:25 O'CLOCK A M
SECRETARY OF STATE
BY
DEPUTY

(2) The commissioners of each county shall establish a convenient number of election precincts equalizing the number of electors in each precinct as nearly as possible.

(3) The commissioners may change the boundaries of precincts but not between January 1 and December 1 in any year during which a general biennial election will be held, *except that the commissioners may change the boundaries of precincts in the year during which a general biennial election will be held when the changes are required to make precinct boundaries conform to legislative district boundaries following the adoption of reapportionment plans under article V, section 14, of the 1972 Montana constitution. In those instances, the changing of precinct boundaries must be accomplished within sixty (60) days of the filing of the final reapportionment plan.*

(a) All changes must be certified to the registrar three (3) days or less after the change is made.

(b) All election precincts shall be designated by numbers, names, or both.

(c) Not more than ten (10) days after an order of the commissioners has established or changed the boundaries of an election precinct, the commissioners shall cause to be prepared and delivered a map to the registrar showing the borders of all precincts and school districts within the county.

(4) The boundaries of election precincts *may* conform to the wards of cities of the first, second, and third class and the boundaries of first class school districts.

(5) A ward or school district may be divided into two (2) or more precincts, and a precinct may be divided into two (2) or more polling places.

(6) In cities not of the first, second, or third class, precincts may include two (2) or more wards, or may comprise territory included by one (1) or more wards together with contiguous territory lying outside the incorporated limits of the cities."

Approved: March 6, 1973.

CHAPTER NO. 172

An Act Amending Section 8-102, R.C.M. 1947, Providing That Class C Carriers Distributing, Delivering or Collecting Wares, Merchandise or Commodities, or Transporting Persons, Shall Do So Under Six (6) Contracts, Charters, Agreements or Undertakings or less Annually; That Every Class C Motor Carrier Providing Such Transportation Service By Means of More Than Six (6) Contracts, Charters, Agreements or Undertakings Shall Be Deemed Providing Common Carriage and Shall Operate Under a Class B Motor Carrier Certificate in Lieu of Such Class C Certificate; That All Class C Motor Carriers Must Submit to This Commission the Names and Addresses of All Persons, Firms, Corporations or Other Legal Entity With Whom the Said Class C Carrier Has Executed a Contract, Agreement, or Undertaking for the Distribution, Delivery or Collection of Wares, Merchandise or Commodities, or Transporting Persons; and Providing for an Effective Date.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 8-102, R.C.M. 1947, is amended to read as follows:

"8-102. **Classification of motor carriers—operation according to provisions of act required.** (a) Motor carriers are hereby divided into three (3) classes for the purposes of this act, to be known as:

Class A motor carriers,

Class B motor carriers,

Class C motor carriers.

Class A motor carriers shall embrace all motor carriers operating between fixed termini or over a regular route, under regular rates or charges, based upon either station-to-station rates or upon a mileage rate or scale.

Class B motor carriers shall embrace all motor carriers operating under regular rates or charges based upon either station-to-station rates or upon a mileage rate or scale, and not between fixed termini or over a regular route.

Class C motor carriers shall embrace all motor carriers operating motor vehicles for distributing, delivering or collecting wares, merchandise, or commodities, or transporting persons, where the remuneration is fixed in and the transportation service furnished under a contract, charter, agreement or undertaking. *Such class C motor carriers distributing, delivering or collecting wares, merchandise or commodities, or transporting persons shall do so under six (6) contracts, charters, agreements or undertakings or less annually. Every class C motor carrier providing such transportation services by means of more than six (6) contracts, charters, agreements or*

undertakings shall be deemed to be providing common carriage and shall operate under a class B motor carrier certificate in lieu of such class C motor carrier certificate. All class C motor carriers must annually submit to this commission the names and addresses of all persons, firms, corporations or other legal entity with whom the said class C carrier has executed a contract, charter, agreement or undertaking for the distribution, delivery or collection of wares, merchandise or commodities, or transporting persons.

(b) It shall be unlawful for any corporation or person, its or their officers, agents, employees, or servants, to operate any motor vehicle for the transportation of persons and/or property for hire on any public highway in this state except in accordance with the provisions of this act."

Section 2. This act is effective on its passage and approval.

Approved: March 6, 1973.

CHAPTER NO. 173

An Act Providing That Every Motor Carrier May Petition the Commission to Suspend its Intrastate Operating Authority for a Period not to Exceed Six (6) Months; Providing That an Additional Six (6) Months' Suspension May Be Requested and Granted, but no Other; That Such Suspension Be Granted Upon a Showing of Present Absence of Public Convenience and Necessity or Other Showing of Matters Affecting Motor Carrier Transportation; and Providing an Effective Date.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. There is a new section to be numbered 8-107.1, R.C.M. 1947, which reads as follows:

8-107.1. Every motor carrier as defined within this act, may petition this commission in writing to suspend its intrastate operating authority for a period not to exceed six (6) months. An additional six (6) months' suspension may be requested and granted, but no other. Such suspension may be granted by the commission upon a showing of present absence of public convenience and necessity, or other showing of matters affecting motor carrier transportation.

Section 2. This act is effective on its passage and approval.

Approved: March 6, 1973.

CHAPTER NO. 174

An Act Amending Section 8-101, R.C.M. 1947, Deleting Certain Provisions Under Definition of Term "Motor Vehicle"; Providing Further for the Definition of "Motor Vehicles" to Include All Vehicles, Motor Trucks, Tractors or Other Self-Propelled Vehicles Used for the Transportation of Property or Persons Over the Public Highways of the State and any Trailer, Semitrailer, Dollie or Other Vehicle Drawn Thereby; and Providing for an Effective Date.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 8-101, R.C.M. 1947, is amended to read as follows:

"8-101. **Definition of terms.** Unless the language or context clearly indicates that different meanings are intended, the following words, terms and phrases shall, for the purposes of this act, be given the meanings hereinafter subjoined to them.

(a) The word "board" means the board of railroad commissioners of the state of Montana.

(b) The term "corporation" means a corporation, company, association or joint-stock association.

(c) The term "person" means an individual, firm or copartnership.

(d) The word "certificate" means the certificate of public convenience and necessity authorized to be issued under the provisions of this act.

(e) The term "public highway" means every public street, road, highway, or way in this state.

(f) The term "motor vehicle" shall include all vehicles or machines, *motor trucks, tractors or other self-propelled vehicles used for the transportation of property or persons over the public highways of the state, and any trailer, semitrailer, dollie or other vehicle drawn thereby.*

(g) The words "between fixed termini or over a regular route" when used in this act, mean the termini or route between or over which any motor carrier usually or ordinarily operates any motor vehicles, even though there may be periodical or irregular departures from said termini or route. Whether or not a motor vehicle is operated by a motor carrier between fixed termini, or over a regular route, or otherwise, within the meaning of this act, shall be a question of fact to be determined by the board.